

DANIEL G. BOGDEN
United States Attorney
District of Nevada

JUSTIN E. PINGEL
Assistant United States Attorney
Nevada State Bar No. 10186
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
Telephone: (702) 388-6336
Facsimile: (702) 388-6787
justin.pingel@usdoj.gov

Attorneys for the United States.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROSEMARY GARITY,)
Plaintiff,) Case No: 2:11-cv-01805-MMD-CWH
v.)
USPS PMG PATRICK DONAHOE,)
Defendant.)

ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(Second Request)

The Federal Defendant USPS PMG Patrick Donahoe, by and through Daniel G. Bogden, United States Attorney, and Justin E. Pingel, Assistant United States Attorney for the District of Nevada, respectfully requests an extension of time until October 11, 2013, for the Federal Defendant to file a response to Plaintiff's Objection (ECF 85) to the Court's Orders (ECF 83 & 84) as they relate to Plaintiff's Motion to Strike Affirmative Defenses (ECF 46). A response is currently due on or before October 2, 2013.

1 In support of the instant Motion, the Federal Defendant submits the following:

2 At the end of the day on September 30, 2013, the appropriations act that had been funding the
3 Department of Justice expired and appropriations to the Department lapsed. The Department does not
4 know when funding will be restored by Congress.

5 Absent an appropriation, Department of Justice attorneys are prohibited from working, even on
6 a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of
7 human life or the protection of property.” 31 U.S.C. § 1342.

8 Undersigned counsel for the Department of Justice therefore requests an extension of time until
9 October 11, 2013, in which to file a response to Plaintiff’s Objections to the Court’s Order on her
10 Motion to Strike (ECF 85), which is currently due October 2, 2013. If the Government shutdown
11 continues into next week or beyond, additional extensions or a stay may be necessitated.

12 Due to the short notice, Plaintiff was not contacted regarding this request for extension of time.

13 Although we greatly regret any disruption caused to the Court and the Plaintiff, the Government
14 hereby moves for an extension of time in this case until October 11, 2013, with the hope that no further
15 extensions will be necessitated.

16 Respectfully submitted this 1st day of October 2013.

17 DANIEL G. BOGDEN
18 United States Attorney

19 /s/ Justin E. Pingel
20 JUSTIN E. PINGEL
21 Assistant United States Attorney

22 IT IS SO ORDERED:
23

24 DATED THIS 4th day of October 2013.
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26 
MIRANDA M. DU
UNITED STATES DISTRICT JUDGE